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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,134	01/21/2000	William J. Baer	STL000012US1	5405

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EXAMINER

PHAM, HUNG Q

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 08/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/489,134

Applicant(s)

BAER ET AL.

Examiner

HUNG Q PHAM

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-90 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-90 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 6, 8-21, 23-27, 30-31, 36, 38-51, 53-57, 60-61, 66, 68-81, 83-87 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajak [USP 5,338,196].

Regarding to claims 1, 31 and 61, Pajak teaches a method for representing a shared data object with related data bases in a hierarchy or multi-level mode and providing exclusivity or privacy to invoked changes to parts of the shared container type structured data object and related data bases also the capability of populating and querying the various objects within the container as well as within the data base (abstract). Pajak "shared structure object" representation is any way of displaying shared data represented by the object and its contents for presenting data within an area of a display. A representation may be at full scale, or at small scale or it could be a shrunken version of the full scale representation of a structured data object, showing some general features of the full scale representation but omitting details (Col. 6, lines 4-37). The shared structure data object is referred to as a shared book, taking the basic attributes of VP books (Col. 8, lines 4-23) and there is a facility to automatically create a table of contents and index for the book, which will automatically include content and indexing material into the table and index created relative to each document in the book (Col. 2, lines 36-51). The shared book or shared structure data object is access by selecting the icon and request an <OPEN> operation (Col. 2, line 52-Col. 3, line 15). Thus, the Pajak representation technique illustrates the step of *presenting a plurality of*

selectable objects to a user, each object associated with a subset of the collection of content.

Pajak further discloses that the displayed FolderA in FIG. 3 not only illustrates the files and documents contained within FolderA, ChildFolderA1, ChildFolderA2, DemoDoc1 and DemoDoc2 but also displays the sub files in each of the first level of files in indented form (Col. 12, lines 15-30). A user could edit a document such as read, write, change, delete by an appropriate access control (Col. 8, lines 34-48) and by using <OPEN> command for opening an object to reveal the contents of the object in a window, <MOVE> command from moving an object to another place, <DELETE>, which will delete the object and its contents, <COPY> which will copy the object and its contents to another desktop location (Col. 10, lines 26-60). Thus, by using of those selected commands, a user could *compile* the content associated with a selected object, or in short, the Pajak disclosure indicates the step of *in response to selection by a user of one or more of said objects, creating a compilation of the content associated with each selected object*. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by using the technique of presenting selectable objects and selecting for creating a compilation in order to collect and edit the content associated with a selected object.

Regarding to claims 6, 36 and 66, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses *the collection of content comprises hierarchically related data* (Fig. 3-4).

Regarding to claims 8, 38 and 68, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses *displaying to the user the selected objects in a predetermined order such that the user may rearrange the order of the selected objects as desired through a user interface* (Col. 1, lines 24-35 and Col. 6, line 60-Col. 7, line 18).

Regarding to claims 9, 39 and 69, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses the step of *defining a maximum amount of allowable content per volume of content; creating a plurality of volumes of content from the selected content based upon the defined maximum* (Col. 8, lines 34-48).

Regarding to claims 10, 40 and 70, Pajak teaches all the claimed subject matters as discussed in claims 9, 39 and 69, Pajak further discloses the step of *displaying to the user the selected objects contained in each volume such that the user may selectably move an object from a first to a second of the volumes* (Col. 8, lines 34-48).

Regarding to claims 11, 41 and 71, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses the step of *receiving content input by a user, and creating a selectable object from the content* (Col. 9, line 24-Col. 10, line 47).

Regarding to claims 12, 42 and 72, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses *the user may concurrently create a plurality of compilations* (Col. 6, lines 38-59).

Regarding to claims 13, 43 and 73, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses the step, *after creation of the compilation, of presenting the compilation to a user for modification* (Col. 6, line 60-Col. 7, line 18).

Regarding to claims 14, 44 and 74, Pajak teaches all the claimed subject matters as discussed in claims 13, 43 and 73, Pajak further discloses the step of *creating a copy of the compilation, applying changes input by a user to the copy, and creating a new compilation therefrom* (Col. 9, line 24-c 10, line 47 and Col. 10, lines 10-60).

Regarding to claims 15, 45 and 75, Pajak teaches all the claimed subject matters as discussed in claims 13, 43 and 73, Pajak further discloses the step: *the user may select an object for removal from the compilation* (Col. 10, lines 48-60).

Regarding to claims 16, 46 and 76, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses: *the user may select to clear the compilation* (Col. 10, lines 48-60).

Regarding to claims 17, 47 and 77, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses: *the user may select to undo an operation affecting the compilation* (Col. 17, lines 57-64).

Regarding to claims 18, 48 and 78, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses the step: *after creation of the compilation, of submitting the compilation to an approval process* (Col. 17, lines 57-64).

Regarding to claims 19, 49 and 79, Pajak teaches all the claimed subject matters as discussed in claims 18, 48 and 78, Pajak further discloses: *the approval process further comprises one of approving the compilation for publication, rejecting the compilation, and receiving editorial comments as input from a second user, and providing the compilation and editorial comments to the creating user* (Col. 5, line 49-Col. 6, line 60).

Regarding to claims 20, 50 and 80, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses: *the presenting step further comprises the step of presenting all of the content comprising the collection of content to the user as a plurality of selectable objects* (FIG. 3-4).

Regarding to claims 21, 51 and 81, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses: *the presenting step further*

comprises the step of presenting less than all of the content comprising the collection of content to the user as a plurality of selectable objects (FIG. 4).

Regarding to claims 23, 53 and 83, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses the step of *receiving search criteria input by the user; determining which of the subsets of the collection of content satisfy the search criteria; and presenting to the user a plurality of selectable objects corresponding to the subsets of content satisfying the search criteria* (Col. 11, lines 42-64).

Regarding to claims 24, 54 and 84, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses: *at least one of the subsets of content is associated with one or more prerequisite subsets of content and upon selection by the user of a selectable object associated with the at least one subset, also including the associated prerequisite subsets of content in the created compilation* (Col. 1, lines 24-54 and Col. 8, lines 4-48).

Regarding to claims 25, 55 and 85, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses *a selectable object further comprises one of a container and a content entity* (FIG. 3-4).

Regarding to claim 26, 56 and 86, Pajak teaches all the claimed subject matters as discussed in claim 25, 55 and 85, Pajak further discloses the step of, *in response to*

selection of the container to add to a compilation, adding the selected container and any containers or content entities it contains to the compilation (Col. 10, lines 48-60).

Regarding to claims 27, 57 and 87, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses *the selectable objects further comprise titles of their associated subsets of content* (FIG. 3-4).

Regarding to claims 30, 60 and 90, Pajak teaches a method for representing a shared data object with related data bases in a hierarchy or multi-level mode and providing exclusivity or privacy to invoked changes to parts of the shared container type structured data object and related data bases also the capability of populating and querying the various objects within the container as well as within the data base (abstract). Pajak "shared structure object" is referred to as a shared book, taking the basic attributes of VP books (Col. 8, lines 4-23) and there is a facility to automatically create a table of contents and index for the book, which will automatically include content and indexing material into the table and index created relative to each document in the book (Col. 2, lines 36-51). Pajak further discloses that the displayed FolderA in FIG. 3 not only illustrates the files and documents contained within FolderA, ChildFolderA1, ChildFolderA2, DemoDoc1 and DemoDoc2 but also displays the sub files in each of the first level of files in indented form (Col. 12, lines 15-30). A user could edit a document such as read, write, change, delete by an appropriate access control (Col. 8, lines 34-48) and by using <OPEN> command for opening an object to reveal

the contents of the object in a window, <MOVE> command from moving an object to another place, <DELETE>, which will delete the object and its contents, <COPY> which will copy the object and its contents to another desktop location (Col. 10, lines 26-60). Thus, by using of those selected commands upon a selected object, a user could create a compilation of the content associated with a selected object, or in short, the Pajak disclosure indicates the step of *in response to selection of ones of the hierarchically related elements to include in a compilation, creating a compilation from the selected content entities*. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method for creating a compilation by selecting and creating a compilation in order to collect and edit the content associated with a selected object.

5. Claims 2-3, 29, 32-33, 59, 62-63 and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajak et al. [USP 5,388,196] in view of ksinclair.com [Free E-books You Can Download], Dimick [Classical and Flamenco Guitar MIDI's] and New York Times [The New York Times on the Web].

Regarding to claims 2, 32 and 62, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, Pajak further discloses a hierarchy of containers and documents containing structured data objects such as tables, fields, graphics, and data attachments with related data bases that are shared and easily accessed as *the collection of content comprises at least one of a document, an image*. Ksinclair.com has a

website for e-book. Dimick displays in his website a collection of musical selections. New York Times e-magazine has a video as one of the collection of content. A user could listen or download the music or video by using a mouse to click at the object. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by including book, music and video files from ksinclair.com, Dimick and New York Times in the collection of content in order to have a collaborative system.

Regarding to claims 3, 33 and 63, Pajak/k Sinclair.com/Dimick/New York Times teaches all the claimed subject matters as discussed in claims 2, 32 and 62, k Sinclair.com further discloses *subsets of content comprise one of a chapter and sections of a text document* (k Sinclair.com).

Regarding to claims 29, 59 and 89, Pajak teaches all the claimed subject matters as discussed in claims 25, 55 and 85, Pajak further discloses a hierarchy of containers and documents containing structured data objects such as tables, fields, graphics, and data attachments with related data bases that are shared and easily accessed as *the collection of content comprises at least one of images*. K Sinclair.com has a website for e-book. Dimick displays in his website a collection of musical selections. New York Times e-magazine has a video as one of the collection of content. A user could listen or download the music or video by using a mouse to click at the object. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made

to modify the Pajak method by including book, music and video files from ksinclair.com, Dimick and New York Times in the collection of content in order to have a collaborative system.

6. Claims 4-5, 7, 28, 34-35, 37, 59, 64-65, 67 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajak et al. [USP 5,388,196] in view of ksinclair.com [Free E-books You Can Download].

Regarding to claims 4, 34 and 64, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but fails to disclose *each selectable object is associated with a cost, and further comprising the step of calculating a cost for the created compilation based upon the costs of the selected objects*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. Ksinclair.com further discloses *each selectable object is associated with a cost* but fails to disclose the step of *calculating a cost for the created compilation based upon the costs of the selected objects*. However, a cost for a created compilation is a service charge based on the cost of maintaining an object such as an e-book and could be calculated upon the cost of that e-book. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by applying the cost of an object from ksinclair.com method and including the cost of created compilation based upon the cost of the object in order to maintain the website.

Regarding to claims 5, 35 and 65, Pajak teaches all the claimed subject matters as discussed in claims 1, 31 and 61, but fails to disclose the step of *determining a content count for the compilation and determining a cost for the compilation based upon the content count*. Ksinclair.com has a website that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book has a table of content with a content count and a cost associated with the e-book (ksinclair.com). Thus the cost of the compilation for a particular chapter could be calculated based upon the content count. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by applying the cost of an object from ksinclair.com method and including the cost of created compilation based upon the content count in order to maintain the website.

Regarding to claims 7, 37 and 67, Pajak teaches all the claimed subject matters as discussed in claims 6, 36 and 66, Pajak further discloses *the collection of content comprises text documents* (Pajak, Col. 10, lines 10-18) but fails to disclose *the subset of content associated with each selectable object comprises at least one of a chapter and a section*. Ksinclair.com has a website for e-book that presenting a plurality of e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book has a table of content including chapters and sections. Therefore, it would have been obvious for one of ordinary skill in

the art at the time the invention was made to modify the Pajak method by including e-books as selectable objects with associated chapters and sections in order collect and edit the content associated with an e-book as a selected object.

Regarding to claims 28, 58 and 88, Pajak teaches all the claimed subject matters as discussed in claims 25, 55 and 85, but fails to disclose *containers are at least one of a book, a volume, and a chapter*. Ksinclair.com has a website for e-book that presenting a plurality of selectable objects as e-books to a user and a user could open or download the e-book to the user site by selecting the title of an e-book. The downloadable ksinclair.com e-book is a container that has a table of content including other containers such as chapters and sections. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by including e-books as a container with associated containers such as chapters and sections in order collect and edit the content associated with an e-book as a selected object.

7. Claims 22, 52 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajak et al. [USP 5,388,196] in view of Barnes & Noble [Entertainment We Recommend].

Regarding to claims 22, 52 and 82, Pajak teaches all the claimed subject matters as discussed in claims 21, 51 and 81, but fails to disclose the step of *partitioning the*


collection of content into a plurality of categories, and presenting all content objects belonging to a category to a user. Barnes & Noble has a website that presenting a plurality of selectable objects to a user and the collection of content is organized into a plurality of categories; all content objects belonging to a category could be presented by selecting the one of the categories such as eBooks, Music, Magazines... Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Pajak method by categorizing the collection of content and presenting content objects belonging to a category to a user in order to optimize the collaborative system.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Pham whose telephone number is 703-605 4242. The examiner can normally be reached on Monday-Friday, 7:00 Am - 3:30 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VU, KIM YEN can be reached on 703-305 4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746 7239 for regular communications and 703-746 7238 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305 3900.

Examiner: Hung Pham
August 5, 2002


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100